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2 ENTERED

3 MAY 17 2000

4 # 13

FILED

MAY 18 2000

STATE OF OREGON
MARION COUNTY COURTS

8 IN THE CIRCUIT COURT OF THE STATE OF OREGON

10 FOR THE COUNTY OF MARION

13 SALEM PAINT COMPANY, INC., AN
14 OREGON CORPORATION,

15 PLAINTIFF,

16 and

17 MANAGEMENT GROUP OREGON, INC., AN
18 OREGON CORPORATION,

19 DEFENDANTS.
20
21

No. JDC 14328

Complaint

22 Plaintiff alleges:

23 COUNT I - Claim and Delivery

24 1.

25 Plaintiff was and is an Oregon corporation, registered to do business in this state.

26 2.

27 Defendant Management Group Oregon, Inc., was and is an Oregon corporation, registered
28 to do business in this state.

29 ////

30 ////

1 3.

2 That at all material times herein, Plaintiff was and is in the business of selling paint and paint
3 supplies.

4 4.

5 On or about May, 1998, through December 12, 1999, Plaintiff sold and delivered to
6 Defendant paint and paint supplies for Defendant's use.

7 5.

8 Defendant accepted the paint and paint supplies and is indebted to Plaintiff for their
9 reasonable value.

10 6.

11 The supplies are reasonably worth \$10,397.07.

12 7.

13 Defendant has not paid Plaintiff the same nor any part thereof.

14 8.

15 On or about May 5, 2000, more than ten (10) days prior to the filing of this action, counsel
16 for Plaintiff mailed a demand for payment to Defendant. A copy of this written demand is attached
17 hereto and incorporated herein as Exhibit 1.

18
19 COUNT II - Account

20 9.

21 Plaintiff re-alleges paragraphs 1 through 8 as though fully set forth herein.

22 ////

10.

Defendant is indebted to Plaintiff is the sum of \$10,397.07 for the balance of an account for the purchase of paint and painting supplies on or about May, 1998, through December 12, 1999, particulars of which are set out in the statements attached hereto and incorporated herein as Exhibit 2, together with the credits to which Defendant is entitled, leaving due the sum above mentioned \$10,397.07.

11.

Defendant has not paid Plaintiff the same nor any part thereof.

COUNT III - Account Stated

12.

Plaintiff re-alleges paragraphs 1 through 11 as though fully set forth herein.

13.

On or about May, 1998, and thereafter, an account was stated between Plaintiff and Defendant and upon such statement of account, Defendant is indebted to Plaintiff in the sum of \$10,397.07.

14.

Defendant agreed to pay Plaintiff the sum of \$10,397.07.

15.

Defendant has not paid Plaintiff that sum nor any part thereof.

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1 WHEREFORE, Plaintiff prays for judgment as follows:

2 1. On Plaintiff's first claim for relief, claim and delivery, for judgment against
3 Defendant in the amount of \$10,397.07;

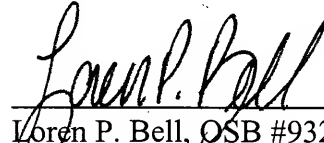
4
5 2. On Plaintiff's second claim for relief, account, for judgment against Defendant
6 in the amount of \$10,397.07;

7
8 3. On Plaintiff's third claim for relief, account stated, for judgment against
9 Defendant in the amount of \$10,397.07;

10
11 4. For Plaintiff's costs and disbursements incurred herein; and

12
13 5. For such other relief as the Court may deem just and equitable.

14
15 DATED this 17th day of May, 2000.

16
17
18 
19 _____
20 Loren P. Bell, OSB #93210
21 Attorney for Plaintiff
22



May 5, 2000

VIA CERTIFIED MAIL & REGULAR MAIL

William C. Crothers, Jr.
Gregory C. Hansen
Loren P. Bell
Lisa M. Udland

Chuck Sides
Management Group of Oregon
245 13th Street N.E.
Salem, OR 97301

Re: Salem Paint Company
Our File No. 2348002

Dear Mr. Sides:

This office represents the interest of Salem Paint Company. As you are aware, Management Group of Oregon has an outstanding balance due to Salem Paint Company in the amount of \$10,243.42. As you are further aware, this balance has been owing for over 2 ½ years. Despite numerous demands by Salem Paint Company, you have not paid this balance and it remains due and payable.

Therefore, demand is hereby made for payment of the above sum within five (5) days of the date of this letter. If payment in full is not made within five days, I have been instructed to file a civil suit in the Circuit Court of Marion County Oregon. Such complaint will demand payment of the outstanding balance, plus any interest, costs and any attorney fees available by law.

This letter is an attempt to collect a debt. Unless you notify me within thirty (30) days after receipt of this letter that the validity of this debt, or any portion of it, is disputed we will assume that the debt is valid. If you do notify us in writing within the thirty (30) day period that the debt or any portion of it is disputed, we will obtain verification of the debt and mail it to you, despite the fact that it has already been provided to you.

Also upon your written request within the thirty (30) day period, we will provide you with the name and address of the original creditor if different from the current creditor, Salem Paint Company.

This letter is an attempt to collect a debt and any information obtained will be used for that purpose. Notice and requests from you for information should be addressed to the following: Loren P. Bell, Attorney at Law, 750 Front Street NE, Suite 100, Salem, Or 97301.

Please be advised that the law does not require me to wait until the end of the thirty (30) day period before suing you to collect this debt. If, however, you request proof of the debt or the name and address of the original creditor within the thirty (30) day period, my efforts to collect the amount will be suspended until I mail the requested information to you. However, as indicated above, if I do not receive a response from you within five (5) days, I will begin immediate action by filing a Complaint in the Circuit Court in Marion County and will provide you notice by having you personally served with the same.

McNary Square Building
750 Front Street NE
Suite 100
Salem, Oregon 97301

Telephone (503) 378-0225
Facsimile (503) 371-2946
www.crothers.com

EXHIBIT 1
PAGE 1

Chuck Sides
May 5, 2000
Page 2

I urge you to resolve this matter immediately so that you do not incur additional costs and attorney fees which may be available by law.

Your attention to this matter is demanded.

Very truly yours,

Loren P. Bell
e-mail: loren@crothers.com
Extension/Voice Message #304

LPB:ks
cc: Salem Paint Company